

Ex-minneapolis Officer Who Killed 911 Caller to Be Released

MINNEAPOLIS—The former Minneapolis police officer who fatally shot an unarmed woman who called 911 to report a possible sexual assault in the alley behind her home is scheduled to be released from prison next week, months after his murder conviction was overturned and he was resentenced on a lesser charge.

Mohamed Noor, 36, is scheduled to be released from custody Monday, according to online Department of Corrections (DOC) records.

Noor was initially convicted of third-degree murder and manslaughter in the 2017 fatal shooting of Justine Ruszczyk Damond, a 40-year-old dual U.S.–Australian citizen and yoga teacher who was engaged to be married. But last year, the Minnesota Supreme Court tossed out his murder conviction and 12.5-year sentence, saying the murder charge didn't apply to the circumstances of this case.

He was resentenced to four years and nine months on the manslaughter charge.

Justine Damond, also known as Justine Rusczyk, from Sydney, is seen in this 2015 photo released by Stephen Govel Photography in New York, on July 17, 2017. (Stephen Govel Photography/Handout via Reuters)

In Minnesota, it's presumed that a defendant with good behavior will serve two-thirds of a sentence in prison and the rest on supervised release, commonly known as parole. The DOC's website says Noor will be on supervised release until Jan. 24, 2024.

Damond's father, John Rusczyk, said Friday that the family was disappointed that Noor's third-degree murder conviction was overturned.

"His release after a trivial sentence shows great disrespect to the wishes of the jury who represented the communities of Minneapolis and their wish to make a statement about the communities' expectations of police behaviour and actions," Rusczyk wrote in response to emailed questions from The Associated Press.

After his conviction, Noor began serving his time at Minnesota's maximum-security prison in Oak Park Heights, but the Star Tribune reported he was transferred to a facility in North Dakota in July 2019 for his own safety. Department of Corrections spokesman Nicholas Kimball said Noor is still out of state, but did not specify where.

"For safety reasons, we aren't able to provide more detail than what is available on the public website,

which is the scheduled date of release,” Kimball said.

It wasn’t clear whether Noor would return to Minnesota. His attorney, Tom Plunkett, declined to comment, saying, “at this point I just want to respect Mr. Noor’s privacy.”

Former Minneapolis police officer Mohamed Noor (R), with attorneys Peter Wold (C) and Thomas Plunkett (L), walks out of the the Hennepin County Government Center on April 25, 2019. (Brian Peterson/Star Tribune/AP)

Damond’s killing led to the resignation of Minneapolis’ police chief. It also led the department to change its policy on body cameras; Noor and his partner didn’t have theirs activated when they were investigating Damond’s 911 call.

Noor testified at his 2019 trial that he and his partner were driving slowly in an alley when a loud bang on their police SUV made him fear for their lives. He said he saw a woman appear at the partner’s driver’s side window and raise her right arm before he fired a shot from the passenger seat to stop what he thought was a threat.

Damond was a meditation teacher and life coach who was killed about a month before her wedding. Her maiden name was Justine Ruszczyk, and though she was not yet married, she had already been

using her fiance's last name.

Her fiance, Don Damond, declined to comment on Noor's pending release, but said during Noor's resentencing that he had forgiven the former officer, and that he had no doubt Justine also would have forgiven him "for your inability in managing your emotions that night."

Noor, who is Somali American, was believed to be the first Minnesota officer convicted of murder for an on-duty shooting.

Days after Noor's conviction, Minneapolis agreed to pay \$20 million to Damond's family, believed at the time to be the largest settlement stemming from police violence in Minnesota.

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